The Facebook, Inc. v. Connectu, LLC et al Doc. 249 Att. 1

EXHIBIT A

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

FACEBOOK, INC. and MARK ZUCKERBERG, Plaintiffs, v. CONNECTU LLC, (now known as CONNECTU INC.) ET AL., Defendants.	CASE NO. C 07-01389 RS **DECLARATION OF WINSTON WILLIAMS IN RESPONSE TO COURT ORDER DATED DECEMBER 12, 2007**

I, WINSTON WILLIAMS, declare

1. I have been informed that the Court has issued an Order requiring me to provide further responses in Interrogatory Nos. 3 and 4. As I stated in my prior declaration, prior to the issuance of this recent Court Order, I had reviewed documents and files for the purposes of responding to these interrogatories. I have been informed that Plaintiffs identified additional documents, files, IP addresses and websites which they believe suggest that this new evidence will enable me to provide further answers to these interrogatories. My recent review includes both the new evidence that Plaintiffs have cited in support of their motion to compel, other files and documents available from Pacific Northwest Software, Inc.("PNS"), and documents provided by David Gucwa. In the following paragraphs of this declaration I will explain the efforts I undertook to comply with this Court's recent order.

2. I have reviewed all of the URL's and IP addresses referenced in the briefs filed in support of Plaintiff's Motion to Compel.

3. I have reviewed the URL's http//:dp.pickatime.com:900/svn/Connect, db.pickatime.com, http://dg.cu.pnwsoft.com/import, http://db.pickatime.com:900/svn/Connect/connect, hop.pickatime.com, web.connectu.com, http://dev.connectu/importer, http://cupnwsoft.com/importer, unix15.dmbhosting.com, www.i2hub/dgucwa/face, www.connectu.com/importer.

4. I have reviewed the IP addresses 216.127.32.54:900, 216.127.32.54, 216.127.32.54, 216.127.32.228, 216.127.32.228, 192.168.0.135, 207.114.225.164, 66.96.217.229, 67.131.250.102, 67.18.33.226, 69.56.226.102.

5. I am informed that in response to a subpoena, PNS produced documents related to its work for ConnectU, LLC. I have reviewed many of these documents, including correspondence that included me.

6. I am also informed that David Gucwa produced documents in responses to a subpoena issued by Plaintiffs. I have reviewed many of these documents, including correspondence

that involved me. None of these documents would enable me to supplement my responses to Interrogatory Nos. 3 & 4.

7. I have a working knowledge of the contents of the PNS servers that were utilized during the course of the activities PNS was retained to provide for ConnectU. I was primarily responsible for the work PNS performed for ConnectU. I understand that I have been allowed to access to the PNS servers, and any other data currently available at PNS for the purposes of responding to Interrogatory Nos. 3 & 4. I don not believe such access would allow me to further respond to these interrogatories.

8. I am confident that I have reviewed all available information that exists that would provide me or anyone else with the ability to further respond to Interrogatory Nos. 3 & 4.

9. None of the documents, files, IP addresses, URLs described above, or other information about which I am aware will permit me to provide further responses to Interrogatory Nos. 3 or 4. The documents cited by Plaintiffs only suggest that certain IP addresses or URLs were used in the course of the ConnectU activities. Despite the contents of these documents, I cannot say under oath that the information found in these documents provides me with the ability to further respond to these interrogatories. In my initial responses to these interrogatories, I was able to identify the few IP addresses that I knew were used to download data from www.thefacebook.com. Weblogs for example would confirm which sources were used in connection with the ConnectU activities, including email communications. Weblog activity however was not maintained on the servers.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on the 2nd day of January 2008 at Ft. Myers, Florida.

Winston Williams

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

FACEBOOK, INC. and MARK ZUCKERBERG, Plaintiffs, v. CONNECTU LLC, (now known as CONNECTU INC.) ET AL., Defendants.	CASE NO. C 07-01389 RS **DECLARATION OF JOHN TAVES ON BEHALF OF PACIFIC NORTHWEST SOFTWARE, INC. IN RESPONSE TO COURT ORDER DATED DECEMBER 12, 2007**

I, JOHN TAVES, declare

1. I am the President of Pacific Northwest Software, Inc. ("PNS"). I have a bachelor of science degree in electrical engineering.

2. The computer records currently in PNS's possession do not contain information that will allow me, on behalf of PNS to further respond to Interrogatory Nos. 3 and 4.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on the 21st day of December 2007 at Seattle, Washington.

John Taves

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FACEBOOK, INC., and MARK ZUCKERMAN, Plaintiffs, v. CONNECTU LLC, (now known as CONNECTU INC.), ET AL., Defendants.	CASE NO. 5:07-CV-01389-RS **CERTIFICATE OF SERVICE**

CERTIFICATE OF SERVICE

I am a citizen of the United States, over the age of 18 years, and not a party to this action. My place of employment and business address is Finnegan, Henderson, Farabow, Garrett, & Dunner, L.L.P., 3300 Hillview Avenue, Palo Alto, California 94304. On January 2, 2008, I caused a copy of the following document to be served:

- **DECLARATION OF WINSTON WILLIAMS ON BEHALF OF PACIFIC NORTHWEST SOFTWARE, INC. IN RESPONSE TO COURT ORDER DATED DECEMBER 12, 2007**
- **DECLARATION OF JOHN TAVES ON BEHALF OF PACIFIC NORTHWEST SOFTWARE, INC. IN RESPONSE TO COURT ORDER DATED DECEMBER 12, 2007**

on all parties as follows:

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☒ Via First Class Mail
☐ Via Hand Delivery
☐ Via Overnight Courier
☐ Via Facsimile
☐ Via Email

I am readily familiar with my firm's practice for collection, processing correspondence, and sending documents via the United States Postal Service in the ordinary course of business. I sent said document on January 2, 2008 consistent with ordinary business practice.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on January 2, 2008, at Palo Alto, California.

[signature]
Lisssette Vazquez